

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/903,387	DYOTT, RICHARD B.
	<b>Examiner</b>	<b>Art Unit</b>
	Tina M Lin	2874

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to response received 02 September 2003.
2.  The allowed claim(s) is/are 1-18 and 24-53.
3.  The drawings filed on 11 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

8.  CORRECTED DRAWINGS must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892)  | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.              | <input type="checkbox"/> Examiner's Amendment/Comment                             |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | <input type="checkbox"/> Other  |

This Office action is responsive to applicant's communication submitted on 02 September 2003. Applicant's arguments have been fully considered and are persuasive. The rejections stated in the previous Office action have been withdrawn. (Paper no. 10, mailed 29 May 2003) Claims 1-18, 24, and 43-53 are therefore allowed in lieu of the arguments presented by Applicant and Claims 25-42 are allowed as indicated in the previous Office action.

***Examiner's Statement Of Reasons For Allowance***

The following is an examiner's statement of reasons for allowance: The prior art of record fails to disclose or reasonably suggest a method or a device using the method to result in an optical fiber removing a section of the cladding, removing a portion of the core and partially replacing the removed core portion with an optical material being an electro-optic polymer, thermo-optic material, rare-earth doped material, high verdet constant material or a material with amplification properties. Specifically, the prior art of record fails to disclose the partial replacing of the core. The closest prior art of record is U.S. Patent 4,695,123 to Chang et al. Chang et al. discloses removing cladding, removing a portion of the core and replacing it with a metal layer. But Chang et al. fails to disclose the optical material to be selected from a group consisting of an electro-optic polymer, a thermo-optic material, a rare-earth doped material, a material with a high verdet constant and a material with amplification properties. Furthermore, the purpose of Chang et al.'s removal of the cladding and core and replacement of the cladding is for the purpose of polarizing light. This is in contract to Applicant's purpose of the removal of the cladding and core and replacement of the core with a non-metal material, such as an electro-optic polymer, a thermo-optic material, a rare-earth doped material, a material with a high verdet constant and a material with amplification properties. Applicant's purpose of the method and

device to achieve the method is for use in fiber optical sensors. Therefore, claims 1-18, 24, and 43-53 are herein allowed. Claims 25-42 are allowed for the reasons indicated in the previous Office action, mailed 29 May 2003. (Paper no. 10)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M Lin whose telephone number is (703) 305-1959. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

TML  
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John D. Lee  
Primary Examiner